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17th Annual Report

Joint

Legislative Committee

on

Aging

South Carolina
General Assembly

May 1986

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STATE DOCUMENTS

Joint Legislative Study Committee on Aging



State of South Carolina

HOUSE MEMBERS:

PATRICK B. HARRIS, *Chairman*
DILL BLACKWELL
DAVE C. WALDROP, *Vice-Chairman*

SENATE MEMBERS:

WILLIAM W. DOAR, JR.
PEDEN B. MCLEOD
ISADORE E. LOURIE

GUBERNATORIAL APPOINTEES:

DR. C. JULIAN PARRISH, *Secretary*
MRS. GLORIA H. SHOLIN
DR. J. CARLISLE HOLLER

PATRICK B. HARRIS
House of Representatives
Chairman

KELLER H. BARRON
Director of Research

SHERRI CRAFT
Administrative Assistant

212 BLATT BUILDING
P.O. BOX 11867
COLUMBIA, S.C. 29211
(803) 758-5259

June 1986

Dear Friend:

Enclosed is a copy of our 1986 Annual Report. We are grateful for the fine cooperation we have received from legislative colleagues, state agencies, the Governor's Office, private organizations and citizens at large in the work of the Committee.

We have scheduled our annual Public Hearing for Wednesday, October 1, 1986 at 10:30 AM in Room 101/109 of the Blatt Building, 1105 Pendleton Street, Columbia.

Your attendance and participation will be welcome.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick B. Harris".

Patrick B. Harris
Chairman

PBH/slc

Enclosure

Joint Legislative Study Committee on Aging



State of South Carolina

PATRICK B. HARRIS
House of Representatives
Chairman

KELLER H. BARRON
Director of Research

SHERRI CRAFT
Administrative Assistant

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NOTICE OF PUBLIC HEARING

From: Patrick B. Harris, Chairman

The Joint Legislative Study Committee on Aging will hold a Public Hearing on the problems, concerns, and legislative issues of South Carolina's older citizens.

Wednesday, October 1, 1986

Blatt Building, Room 101/109

Columbia 10:30 AM

Organizations, state agencies and citizens-at-large are invited to present testimony as to legislation needed to serve the state's older population.

Persons desiring to be heard should return the form below by September 22 so that their time for speaking may be confirmed. A 10 minute limitation is necessary. We also request a written copy of oral testimony be submitted at the time of presentation.

Questions or requests for further information regarding the Hearing may be directed to Ms. Keller H. Barron, 734-2995.

PUBLIC HEARING JOINT LEGISLATIVE STUDY COMMITTEE ON AGING

Name _____ Telephone No. _____

Address _____
(street) (city) (state) (zip)

Title _____ County _____

Organization/Agency/Citizen _____

Preferred time to testify: morning _____ afternoon _____

PLEASE RETURN BY SEPTEMBER 22 to: Ms. Keller H. Barron
P.O. Box 11867, 212 Blatt Bldg.
Columbia, S.C. 29211

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I. INTRODUCTORY STATEMENT

May 1986

To the Honorable Richard W. Riley, Governor of South Carolina, and Members of the General Assembly of South Carolina:

The Joint Legislative Study Committee on Aging is pleased to transmit the Seventeenth Annual Report of the Committee.

This has been a very productive year. Several legislative issues of long-standing have been resolved.

The Death with Dignity Act, first introduced by the Committee in 1977 was signed by the Governor March 6, 1986. A review of the legislative history is included in this Report. Copies of the Act and the Declaration may be secured from the Committee office.

The application period for Homestead Exemption has been extended from January 1 - May 1 to January 1 - July 15 to be effective this year and subsequent years.

Revision of the S.C. Probate Code, supported by the Committee since 1974, overcame final legislative hurdles in the closing days of the session. The Senate amended it to provide for the surviving spouse to take an elective share of one-third of the decedent's net probate estate and rejected efforts to attach a state-wide salary formula for probate judges. The effective date is July 1, 1987.

A proviso, FY 86-87, directs the Joint Health Care Planning and Oversight Committee in cooperation with our Committee to identify state policy changes to improve the care of patients with Alzheimer's Disease and related disorders.

The burden of institutional care expense was recognized by a state income tax credit up to \$300 for skilled or intermediate care expenses paid by the taxpayer for his own support or for the support of another.

Changes in the S.C. Commission on Aging statutes in order to conform the governing body more closely

to other state health and social services agencies have been accomplished.

Statewide uniform fire regulations for Adult Day Centers have been enacted.

Two reports have been received: the Management and Performance Assessment Study of the Aging Network initiated by Governor Riley in cooperation with the S.C. Commission on Aging and the Joint Legislative Committee on Aging and the Report of the Governor's Implementation Committee on Recommendations for the Elderly.

Our Committee is pleased to have added Miss Sherri Craft to our staff as Administrative Assistant.

The office of the Committee moved to the second floor of the Blatt Building in December 1985.

We appreciate the excellent cooperation we receive from the Governor's office, state agencies, legislative staff and colleagues in the House and Senate.

Respectfully submitted,

Patrick B. Harris, Chairman, Representative
Dave C. Waldrop, Jr., Vice-Chairman, Representative
Dr. C. Julian Parrish, Secretary, Gubernatorial

Appointee

Dill Blackwell, Representative

William W. Doar, Jr., Senator

Peden B. McLeod, Senator

Isadore E. Lourie, Senator

Mrs. Gloria H. Sholin, Gubernatorial Appointee

Dr. J. Carlisle Holler, Gubernatorial Appointee

II. BRIEF HISTORY

In 1959 the first Joint Legislative Committee "to study the needs and problems relating to the aged citizens in South Carolina" was created. This Committee continued its work until 1963. By 1969 the need for a committee to study the problems of the elderly in South Carolina was again evident and the legislature created such a committee under

Concurrent Resolution No. 1286. This Committee continued under the authority of continuing resolutions until 1978 when the General Assembly found "the Committee to Study Public and Private Services, Programs and Facilities of the Aging fulfills a necessary and continuing legislative need and that the functions of the Committee can be more properly fulfilled by a permanent Committee," Act 402, Appendix E.

The Committee is made up of three members of the Senate, appointed by the President of the Senate, three members of the House, appointed by the Speaker, and three members appointed by the Governor. The Committee has had four chairmen. Representative Martha Thomas Fitzgerald from Columbia was the first serving from 1959 to 1963. Governor Richard W. Riley, then Senator from Greenville, served from 1969-1976. Hyman Rubin, Senator, Richland, Chester, Fairfield Counties, was Chairman from 1977-1984. Representative Patrick B. Harris, Anderson, is the current Chairman, elected on November 29, 1984.

Sarah C. Shuptrine, Executive Assistant, Governor's Division of Health and Human Services was the first Director of Research. Keller H. Barron, formerly Bumgardner, succeeded her as Director of Research in 1979. Former members who have contributed their time and talents to the Committee are listed in Appendix F.

Legislation related to aging interests enacted since 1969 is summarized in Appendix D.

III. LEGISLATIVE PRIORITIES 1986 SESSION

The Annual Public Hearing of the Study Committee on Aging was held on October 2, 1985. Thirty-three persons appeared before the Committee and written testimony was submitted by two persons. State agencies, commissions, organizations, service delivery groups and individual interests were represented. The persons testifying and their subject matter are listed in Section IX.

The facts and opinions presented by interested parties are considered by the Committee in determining its legislative priorities and recommendations.

The record of the hearing is available in the office of the Committee, 212 Blatt Building. Copies of the transcription were sent to interested state agencies and upon request to other organizations and individuals.

Following the hearing, the Committee met on October 31, 1985 to review the testimony and plan the outlook for work for the coming legislative session. The legislative members met formally on January 29, 1986 to review pending legislation and receive reports.

The current status of legislation related to aging interests introduced by the Committee and others during the 1986 session is included in Sections IV, V and VI of this report.

Issues under consideration:

1. Medically needy program
2. Mandatory pre-admission screening for all nursing home applicants
3. Family financial responsibility
4. Transfer of assets involving Medicaid clients
5. Payment for services before eligibility determination
6. Medicare fiscal intermediary decisions
7. Medicare assignment policies
8. Medicaid spouse impoverishment
9. Formula allocation of Medicaid beds
10. Long term care insurance
11. Nursing home services and costs for patients with Alzheimer's Disease and related disorders
12. Long term care services
13. Home-equity conversion
14. Volunteer services credit program
15. Life care retirement communities
16. Increase in Homestead Exemption

IV. STATUS OF LEGISLATION INTRODUCED BY THE
JOINT LEGISLATIVE COMMITTEE ON AGING
1986 SESSION

Description
DEATH WITH DIGNITY

House#

Senate#
S.46

To authorize an adult to make a written directive instructing his physician to withhold or withdraw life-sustaining procedures in the event of a terminal condition.

H.2041

FIRE REGULATIONS

S.1282 (R.666)

To provide uniform statewide fire regulations pertaining to adult day care centers. (R.666)

H.3872

PROBATE CODE

S.481

To provide for the South Carolina probate code which consolidates and revises aspects of Law in this state relating to the general probate definitions, provisions, and jurisdictions, interstate successions and wills, probate of wills and administration of decedent's estates, local and foreign personal representatives, protection of persons under disability and their property, non-probate transfers, and trusts and trust administration.

H.2792(exclusive of
elective share provisions)

MANDATORY RETIREMENT

S.477

To provide that no person whose compensation or any portion thereof is paid from public funds may be required to retire from or leave his employment on the basis of age alone, exceptions for law enforcement and fire fighting personnel.

H.2698

Sponsors

Doar, McLeod, Lourie

Keyserling, P. Harris, Waldrop,
 Blackwell, Snow, Altman, Sheheen,
 Klapman, T.M. Burris, L. Hendricks,
 Kirsh, Huff, Hughston, J. Anderson,
 T. Rogers, Blanding, Jones, Pearce,
 Simpson, Lewis, Freeman, Short, (Moss)

Status

Ref. Senate Medical Affairs-1/9/85
 Public Hearing-2/20/85
 Ref. to Sen. Judiciary - tabled

Passed House 2/19/85
 Passed Senate 1/29/86
 Amended and concurred in House
 Senate Amendments 2/25/86
 Senate concurrence in House
 Amendments 2/26/86
 Ratified 3/4/86, signed by Gov. 3/6/86
 R.360 Act 341

Sen. Medical Affairs - Reported
 out favorable 4/24/86
 Sub. H.3872

Passed House 5/8/86
 Passed Senate 5/22/86
 Ratified 5/28/86 R.523

J. Hayes, Lourie, T. Smith

Ref. to Senate Judiciary Subcommittee,
 4/16/85
 T. Smith-Chm., J. Hayes, Bryan

Sheheen, J. Anderson, Gentry
 P. Harris, Waldrop, Blackwell

Passed House 5/23/85
 Ref. to Senate Judiciary
 Ordered to 3rd reading in Senate with
 Notice of Amendments 1/23/86
 Ref. to Senate Finance Subcomm-1/28/86
 Horace Smith, Chmn.-Moore, Drummond
 Passed Senate 4/24/86
 House concurred in Senate amendments
 5/28/86
 Senate concurred in House amendments
 5/28/86

Doar

P. Harris, Blackwell, Waldrop

Ref. to Senate Finance, 4/9/85
 Sub.comm.-Doar, Moore, Macaulay-2/4/86
 Ref. to House Ways and Means Sub-Comm.
 2/28/85. P. Harris-Chm., McTeer,
 McKay, Marchant

1986 SESSION
BILLS INTRODUCED BY COMMITTEE (continued)

<u>Description</u>	<u>House#</u>	<u>Senate#</u>
<u>HOMESTEAD EXEMPTION</u> To provide that the date for filing application for the exemption be made by July 15th instead of May 1st and to increase the exemption from the first \$20,000 to the first \$30,000 of fair market value for the 1986 tax year.	H.3174	S.763
To provide that the date for filing application be made by July 15 (Effective 1986)	H.3181	
<u>CONGRATULATE JAMES A. ROGERS</u> To congratulate Mr. James A. Rogers of Florence, Editor Emeritus of the <u>Florence Morning News</u> , for winning the 1985 Outstanding Older South Carolinian award from the S.C. Commission on Aging	Concurrent Resolution H.3268	
<u>S.C. COMMISSION ON AGING</u> To consist of seven (7) members appointed by the Governor with advice and consent of the Senate, to meet 6 times a year, to elect chairman, to provide that the annual report to the Governor include the needs of elderly and work of the Commission, to add PRT, Health and Human Services Finance Commission, Commission on Alcohol and Drug Abuse, Commission on Women to the coordinating council of the Commission on Aging	H.3201	S.771
<u>STATE INCOME TAX CREDIT</u> To conform a state income tax credit for the elderly to the IRS Sec. 22 provisions, providing 25% of the allowable federal amount	H.3221	S.772
To allow a nonrefundable state income tax credit of one hundred dollars for a taxpayer paying more than one-half the support of non-institutionalized person 65 or older who is mentally or physically incapable of caring for himself and to provide a procedure for claiming the credit	H.3219	S.779

Sponsors

Doar, McLeod, Lourie

P. Harris, Blackwell, Waldrop

StatusRef. to Senate Finance, 11/18/85
(inactive agenda)

Ref. to House Ways and Means, 11/12/85

Sub.comm. - P. Harris, Chm., McTeer,
McKay, Marchant 1/14/86

Blackwell

Passed House 2/13/86

Passed Senate 4/2/86

Ratified 4/15/86 R.417

Signed by Gov. 4/16/86 Act. 385

P. Harris, Blackwell, Waldrop

Passed House - 1/14/86

Passed Senate - 1/15/86

P. Harris, Waldrop, Blackwell

Ref. to House Ways and Means-12/2/85

Sub.comm. - P. Harris, Chm., McTeer,
McKay, Marchant 1/14/86

Doar, Lourie, McLeod

Passed Senate 4/3/86

Passed House 5/7/86

Ratified 5/21/86, No.472

Signed by Gov. 5/23/86 Act. ____

P. Harris, Blackwell, Waldrop

Ref. to House Ways and Means 12/9/85

Sub.comm. - Kirsh, Chm., P. Harris
Hendricks, Holt, Klapman 1/14/86

Doar, Lourie, McLeod

Ref. to Senate Finance 12/2/85

Sub. Comm. - Doar, E. Patterson
V. Smith

P. Harris, Blackwell, Waldrop

Ref. to House Ways and Means 12/9/85

Sub.comm. - Kirsh, Chm., P. Harris
Hendricks, Holt, Klapman 1/14/86

Doar, Lourie, McLeod

Ref. to Senate Finance 12/16/85

Sub. Comm. - Doar, E. Patterson
V. Smith

1986 SESSION
BILLS INTRODUCED BY COMMITTEE (continued)

<u>Description</u>	<u>House#</u>	<u>Senate#</u>
To allow a nonrefundable state income tax credit of 20%, not to exceed \$300, of expenses paid by the taxpayer for institutional intermediate or skilled care for his own care or the care of another.	H.3218	
		<u>S.778</u>

<u>MEDICAID NURSING HOME REFORM ACT OF 1986</u>	H.3231
To establish a procedure for the allocation of Medicaid beds	

S.780

<u>RECOGNIZE HARRY R. BRYAN</u>	Concurrent Resolution
To recognize and commend Harry R. Bryan, Executive Director of the S.C. Commission on Aging, for his unselfish service in behalf of the senior citizens of the state and to extend our sincere thanks for an exemplary and productive performance in that position and to wish for him all the good things in his retirement years.	<u>H.3267</u>

Sponsors

P. Harris, Blackwell, Waldrop

StatusRef. to House Ways and Means 12/9/85
Sub.comm. - Kirsh, Chm, P. Harris,
1/14/86

Doar, Lourie, McLeod

Passed Senate 4/29/86
Passed House 5/30/86

Blackwell, P. Harris, WaldropRef. to Medical, Military, Public and
Municipal Affairs 1/14/86
Sub.comm.-Derrick, Aylette, Moss-
Debate adjourned 2/5/86

Doar, McLeod, Lourie

Ref. to Senate Medical Affairs
1/14/86

P. Harris, Blackwell, WaldropPassed House - 1/14/86
Passed Senate - 1/15/86

V. SELECTED LEGISLATION RELATED TO AGING INTERESTS
1986 SESSION

<u>Description</u>	<u>House#</u>	<u>Senate#</u>
<u>EMERGENCY ADMISSION TO HEALTH FACILITIES</u> To make changes in the procedure for emergency admissions and to require the phasing in of specified programs over a three year period.		S.1196
<u>AGING PROGRAMS BY AGENCIES</u> To require the Commission on Aging to develop and implement a program to educate citizens re: longterm care services and home equity conversion to study volunteer service credit program to require Dept. of Insurance to review long term care insurance, to require Commission on Consumer Affairs to study life care communities.	H.3789	
<u>ELECTORS</u> To provide a procedure by which electors who, because of physical handicap or age, may vote outside the polling place utilizing the vehicle in which he drove or was driven to the polls.	H.3054	S.971
<u>HOMESTEAD EXEMPTION</u> To permit a person entitled to partial exemption to claim full exemption, if he is only person residing in dwelling place	H.2412	
To allow the exemption to persons otherwise eligible for the tax year in which they reach sixty-five.	H.2450	
<u>LONG TERM CARE COUNCIL</u> To create the Long Term Care Council and provide for its composition, duties, and responsibilities	H.3787	
<u>MANDATORY RETIREMENT - TEACHERS</u> To provide that a teacher under certain conditions may continue in service on a year to year basis after he has reached the age of 72 based on the teaching needs and requirements of his employer.		S.149
<u>MEDICAID</u> To direct the Health and Human Services Finance Commission to implement changes on the Medicaid Program, to prevent discrimination, and to study other changes.	H.3788	
<u>NURSING HOME LICENSING</u> To substitute nursing homes for nursing care and intermediate facilities definitions and to amend Chapter 7 Title 44 relating to Medicaid beds and the franchising application	H.3786	

Sponsors

E. Patterson, T.E. Smith, Bryan

Status

Ref. to Sen. Med. Affairs 3/27/86
 Sen. Med. Affairs - Committee report
 favorable 4/24/86
 Ref. to Committee on Finance 4/24/86

 Helmly, Lockemy, Cooper

 Ref. to Med., Military, Public
 and Municipal Affairs-4/10/86

 Freeman, Gentry

 Ref. to House Judiciary Comm. 6/6/85

 Holland, Patterson, Matthews,
 Wilson

 Passed Senate 2/27/86
 Passed House 4/25/86
 Ratified 5/7/86 No. 450
 Signed by Gov. 5/12/86 Act. 407

 .Blackwell, Alexander, Brett,
 Rice, Shelton

 Ref. to House Ways and Means 2/13/85
 Sub.comm - P. Harris, Chm., McTeer,
 McKay, Marchant-carried over-10/22/85

Bradley

 Ref. to House Ways and Means-2/20/85
 Tabled in Committee - 10/30/85

 Helmly, Lockemy, Cooper

 Ref. to Med., Military, Public and
 Municipal Affairs 4/10/86

 J. Drummond

 Ref. to Sen. Finance Committee
 Sub.comm.-McLeod, J.V. Smith, T. Moore
 1/29/85

 Helmly, Lockemy, Cooper

 Ref. to Med., Military, Public and
 Municipal Affairs 4/10/86

 Helmly, Lockemy, Cooper

 Ref. to Med., Military, Public and
 Municipal Affairs 4/10/86

SELECTED LEGISLATION RELATED TO AGING INTERESTS (Cont'd)
1986 SESSION

<u>Description</u>	<u>House#</u>	<u>Senate#</u>
<u>PRESCRIPTION DRUGS</u> To memorialize Congress to enact suitable legislation that would prohibit the dispensing of prescription drugs by mail order	Concurrent Resolution	S.1154
<u>PROBATE JUDGES</u> To declare the Probate Courts of this State to be a part of the Unified Judicial System, to require the governing body of each county to fund operations of the Probate Court except salaries of judges, to establish a salary schedule for judges based on population funded by the General Assembly, to include Probate Judges within the Judicial Retirement System	H.2376	S.211
	H.2405	
<u>RETIREMENT SYSTEM SERVICE CREDIT</u> To authorize retirees of the SC Retirement System to establish credit for additional service after retirement for any additional service credit for which they were eligible prior to retirement in the same manner pre-retirement credit is established, plus 10% interest a year from date of retirement to payment date.		S.320
<u>SALES TAX EXEMPTION</u> To exempt from sales tax the sale of oxygen and machines when used in the home upon perscription of a licensed physician	H.2250	
<u>STATE INCOME TAX DEDUCTION</u> To increase the deduction from \$3000 to \$6000 for persons who are retired Federal Civil Service employees, retired from the Armed Services and certain retired persons 65 or more, or their surviving spouses, to eliminate restrictions relating to age or length of service, to provide for deduction of annuity income, and to provide that the dollar amount of deductions must be annually adjusted for the impact of legislation.	H.3324	
<u>TRUCK LICENSES</u> To provide registration and licensing fee for self-propelled property carrying vehicles of \$10, or less for persons 65 or older.		S.743
To establish an annual registration and license fee of ten dollars for persons who are sixty-five and older for one personal truck under eight thousand pounds gross weight and an empty weight five thousand pounds or less	H.3344	

Sponsors
J.M. Long

Status

Passed Senate 3/20/86
Ref. to Comm. on Invitations and
Memorial Resolutions 3/25/86

W.S. Anderson, Altman, J.L. Harris
Washington, Bailey, Beasley,
Cleveland, Davenport, Waldrop

Ref. to House Judiciary 2/12/85
Re-committed to Const. Laws Sub. Comm.
Jean Toal, 3/5/85

T.E. Smith, Branton, Bryan,
Doar, Fielding, Holland, Long
Mitchell, Newman, Peeler, Ravenel,
Theodore

Ref. to Sen. Judiciary 2/6/85
Combined with H.2405 (Magistrates
and Masters in Equity) Favorable
Report 5/7/85

House Judiciary

3rd reading in Senate 5/31/85
Recomm. to Sen. Judiciary 6/11/85
Recalled from Sen. Jud. 4/9/86

T.E. Garrison

Ref. to Sen. Finance Comm. 3/6/85

McEachin

Reported out - House Ways and Means,
12/2/85
Passed House 1/16/86
Ref. to Sen. Finance 1/21/86

B.E. Thrailkill

Ref. to House Ways and Means 1/21/86
Sub.comm.-Kirsh, Chm., P. Harris,
Hendricks, Holt, Klapman 1/21/86

Wilson

Ref. to Sen. Transportation Committee,
10/21/85

D. Williams

Ref. to House Ways and Means 1/22/86
Sub.comm.-Kirsh, Chmn., P. Harris
Hendricks, Holt, Klapman 1/22/86

SELECTED LEGISLATION RELATED TO AGING INTERESTS (Cont'd)
1986 SESSION

Description

House#

Senate#

LOTTERY PROCEEDS FOR MEDICALLY INDIGENT
ASSISTANCE FUND

Joint Resolution

S.953

To authorize lotteries conducted by the State with the proceeds to be used to pay each county's assessed portion of the Medically Indigent Assistance Fund; and to provide that of any remaining amount, 20% be disbursed to each county and 20% disbursed to each municipality, based on population, with all disbursements used to reduce all property taxes in their jurisdiction; and to provide that any remainder must be used to aid the elderly, blind, and other physically handicapped persons in such portions as the General Assembly shall provide.

TELEPHONE DIRECTORY

To require prior to publication of any telephone directory that the telephone company shall submit it to the consumer advocate for approval and to specify criteria, including readability.

S.1306

Sponsors

R.C. Shealy

Status

Ref. to Sen. Judiciary 2/4/86
Committee report: majority favorable,
minority unfavorable 3/26/86

Lourie

Ref. to Sen. Judiciary 5/8/86

VI. STATUS OF COMMITTEE INTERESTS GENERAL APPROPRIATION BILL, 1986-87

<u>Description</u>	<u>Budget and Control Board</u>		<u>House Passed</u>		<u>Senate Finance</u>	
	<u>Total Funds</u>	<u>State Funds</u>	<u>Total Funds</u>	<u>State Funds</u>	<u>Total Funds</u>	<u>State Funds</u>
Community Long Term Care Pro. (Sec. 40)	\$18,094,290	\$ 4,643,748	\$17,699,780	\$ 4,536,047	14,881,989	3,722,027
Nursing Home Providers (Sec. 40)	102,189,659	27,897,777	94,877,779	25,901,634	98,077,475	26,775,151
Commission on Aging (Sec. 50)	11,863,292	1,815,524 (Includes \$250,000 for Community Services)	11,564,471	1,516,703	11,861,020 (restores \$250,000 to Community Services)	1,813,252
Homestead Exemption (Sec. 125)						
Counties			17,633,576	17,633,576	17,995,818	17,995,818
Municipalities			4,131,911	4,131,911	4,216,236	4,216,236
Joint Leg. Study Comm. on Aging (Sec. 3K15)	59,522	59,522	64,370	64,370	66,293	66,293
World War I Veteran Organization (Sec. 53)	2,351	2,351	2,351	2,351	2,351	2,351
Pre-Retirement News-letter (Sec. 16K)		18,350		18,350	18,350	18,350
S.C. Gerontology Center					25,000	25,000

Proviso: Alzheimer's Disease and related disorders

To provide that the Joint Health Care Planning and Oversight Committee in cooperation with the Joint Legislative Committee on Aging review State nursing home regulations as they apply to patients with Alzheimer's Disease and related disorders and review State policies on the financing and reimbursement of the costs of health care (including respite care) for patients with Alzheimer's Disease and related disorders, and identify policy changes which would improve the care of patients with Alzheimer's Disease and related disorders.

VII. COMMUNITY LONG TERM CARE PROGRAM

The South Carolina Community Long Term Care Program, directed by the Health and Human Services Finance Commission, provides a statewide system of pre-admission assessment, level of care determination, service planning and authorization, case management and reassessment for Medicaid eligible clients who require skilled or intermediate level of care.

In December 1984, the CLTC Program received approval from the Health Care Finance Administration for a waiver to provide expanded home and community based services. The program will offer services to elderly or disabled adults who need help to remain at home and thus avoid unnecessary or premature nursing home care.

The services are designed for any Medicaid eligible person 18 years of age or older, who because of illness or disability, has long term care needs and is not able to care for him or herself independently.

Expanded services provided in the person's home are physical, speech and occupational therapy treatments, medical social services and personal care aide services. In addition, two other community services will be provided outside the home, medical day care and respite care.

These services are being made available to those persons who qualify for Medicaid coverage. Depending on the level of recurring income, some persons may be required to share in the cost of provided services.

The Health Care Financing Administration's approval of the waivers, and appropriation of funds by the State Legislature have made these services possible. Combined federal & state funding is set at 9.9 million dollars for the fiscal year 85-86 plus 2 million dollars carried over from 84-85.

Development of the Community Long Term Care Service Management System, and the Expanded Home & Community Services is based on the findings of a Research and Demonstration Project which began

activities in Spartanburg, Cherokee and Union Counties in 1978. A statewide Service Management System was established in 1983.

VIII SOUTH CAROLINA COMMISSION ON AGING

The South Carolina Commission on Aging is the state governmental agency designated in 1971 by the General Assembly to study, plan, promote and coordinate a statewide program to meet the present and future needs of aging citizens and to encourage and assist in the development of organizations, programs, and services for the aging.

Commission Membership:

With term to expire June 30, 1988:

Reverend M.L. Meadors, Jr., Chairman, Columbia -
District No. 2

Mr. Jack H. Keel, Barnwell - District No. 3

Mr. Thomas I. Dowling, Greenwood - District No. 3

With term to expire June 30, 1987:

Mrs. Ruth Hall, Great Falls - District No. 5

Mrs. Nellie Claire Brown, Rock Hill - District
No. 5

Ms. Anna Mae Gardner, Walterboro - District No. 1

With term to expire June 30, 1986:

Mr. J.W. Matthews, Florence - District No. 6

Mrs. Ella M. Redmond, Kingstree - District No. 6

Mrs. Madge G. Major, Columbia - District No. 2

With term to expire June 30, 1989:

Mr. David S. Spell, Charleston - District No. 1

Dr. C.M. Johnson, Spartanburg - District No. 4

Mrs. Elizabeth Gower, Greenville - District No. 4

Ex-Officio Members:

Honorable Richard W. Riley, Governor of SC

Honorable Isadore Lourie, Member from the State
Senate

Honorable Patrick B. Harris, Member from the House
of Representatives

IX. ACTIVITIES

1. PUBLIC HEARING

The annual public hearing of the Study Committee on Aging was held in Columbia on October 2, 1985 in the hearing room of the Blatt Building. Minutes of the hearing are available for review at the office of the Committee, 212 Blatt Building, Columbia, S.C. Persons testifying and their subject matter follow:

William K. James, Commissioner, S.C. Commission for the Blind

- Independent Living Program for Elderly Blind

Dr. Paul B. Fowler, Professor of New Testament, Columbia Graduate School, Columbia Bible College

- Death with Dignity Bill

Alfred Rawlinson, Legislative Forum, S.C. Federation of Older Americans

- Death with Dignity Bill
- Probate Code Revision
- Configuration of Planning and Service Areas

Everette M. Dean, Chairman, State Legislative Committee, American Association of Retired Persons

- Probate Code Revision
- Health Care Costs
- Cost-of-Living Increase for State Retirees
- Statewide Community Services Program
- Homestead Exemption
- Access to services for Medicare and Medicaid Recipients

Jim Hollingsworth, Charleston

- Death with Dignity Bill

Marie Annette M. McKinney, Summerville

- Death with Dignity Bill

Lorraine Bate Orr, Chair, S.C. Society for the Right to Die

- Death with Dignity Bill

James A. Rogers, Editor Emeritus, Florence Morning News, Outstanding Older South Carolinian 1985

- Preparation for Retirement
- Utilization of Retired People

Rev. M.L. Meadors, Jr., Chairman, S.C. Commission on Aging

- 1985 Legislative Action
- Probate Code Revision
- Advisory Committee on Alzheimer's Disease Initiatives
- Commission on Aging Act

Harry Bryan, Director, S.C. Commission on Aging

- Retirement Announcement
- Death with Dignity Bill
- Community Services Funding

James D. Dubs, Deputy Director, S.C. Commission on Aging

- State Program of Community and In-Home Services for Elderly

Sam Lyons, Mt. Pleasant

- Collective Operation of Organizations

Dr. Sue L. Scally, Co-Chairperson, S.C. Commission on Aging, Advisory Committee on Alzheimer's Disease and Related Disorders Initiatives

- Health Insurance
- Tax Deductions
- Nursing Homes and Residential Care Facilities Accessibility
- Quality Care
- Availability of the Home Services
- Alzheimer's Disease Register

Jean Hutson, President, Columbia Chapter for Alzheimer's Disease and Related Disorders

- Respite Day Care Programs
- Healthcare Insurance
- Nursing Home Facilities
- Tax Deductions

Dr. Charles N. Still, Director, Tucker Center, S.C. Dept. of Mental Health

- Tucker Human Resources Center
- Alzheimer's Disease Patients

William V. Bradley, State Ombudsman, Governor's Office of Health and Human Services

- Drug Funds for Individuals
- Use of Personal Needs Allowance for Physician and Drugs
- Medicaid Discrimination

Daniel J. O'Neal III, S.C. Nurses' Association, Gerontological Special Interest Group

- Models of Delivering Knowledge and Skill
- Coalitions of Consumers and Providers of Care

Dr. Allen H. Johnson, McKnight-Boyle Professor of Gerontology, Dept. of Internal Medicine, MUSC

- University Gerontology Committee
- Division of Geriatric Medicine
- Research Projects
- Regional Geriatrics Center
- Rehabilitation Hospital with Alzheimer's Disease Unit

Rep. Harriet Keyserling, District No. 124, Beaufort County

- Death with Dignity Bill

Prof. Marguerite- Rogers Howie, Professor of Sociology and Principal Investigator 1890 Research, S.C. State College

- Agency Utilization and Client Satisfaction
- Commission on Aging
- Food Stamps
- Social Security

Barbara Ginn, Columbia
- Care for the Elderly

Linda C. Hall, President, S.C. Association of
Council on Aging Directors
- In-home Needs, Respite Care
- Nursing Home Beds, Commitment Process
- Death with Dignity

Fletcher Spigner, Executive Director, Council on
Aging of the Midlands
- Single State Agency for Aging Services

Susan C. Wrigley, President, S.C. Adult Day Care
Association
- Adult Day Care
- Application of Fire Regulation

Carolyn Rathle, Geriatrics Specialists Advisory
Council, Dept. of Mental Health
- "Neighborhood Family" Living Skills Program

Dr. Hilda K. Ross, Mental Health Services for the
Aging, Dept. of Mental Health
- Austerity and the Impact on Aging
- Comprehensive Multi-Purpose Senior Centers
- Prevention Model

Dr. Ernest Furchtgott, Director, S.C. Gerontology
Center
- Agency Information Needs
- Funding

Thomas E. Brown, Jr., Bureau Chief, Bureau of
Long-Term Care, S.C. State Health and Human
Services Finance Commission
- Community Long-term Care Program Budget
- Long-term Care Insurance
- Mandatory Pre-admission Screening Program
for Nursing Homes
- Access to Medicaid Sponsored Long-term Care
Services

Valerie Boykin Tate, Program Director, Legal Services to the Elderly Program, Columbia Urban League

- Elder Abuse, Fraud Penalties
- Legal Services for Contested Matters
- Probate Code Revision
- Home Equity Conversion

Dr. Harold F. Park, President, S.C. Gerontological Society

- Death with Dignity Bill
- Probate Code Revision
- Expand Funding and Support for the Center of Gerontology
- Continuation of Office of Mental Health Services for the Aging in the Department of Mental Health

Alberta S. Rowe, Commissioner, S.C. Commission on Women

- Elective Share Provision of the Probate Code
- Equitable Distribution of Property at Divorce
- Respite Services for Caregivers Model Bill

Loretta Brown, Chairperson, Central Midlands Regional Aging Advisory Committee

- Consolidation of Programs for the Elderly
- Death with Dignity
- Probate Code Revision
- Community Services
- Alzheimer's Disease

Edna Swartzbeck, R.N., M.N., Discharge Planning Unit, VA Medical Center

- Discharge Planning and Multidisciplinary Community Support Systems

--Written Statements Submitted:

South Carolina Appalachian Council of Governments Board of Directors--Resolution

- Continuation of Area Agency on Aging

Catawba Regional Planning Council

- Probate Code
- Elderly Health Care

2. REVIEW OF THE DEATH WITH DIGNITY ACT

1977-1978 Legislative Session

1977 - The Natural Death Act was first introduced by the Committee on Aging in the General Assembly in 1977.

H.2419 - Sponsors: Harris, Blease, Evatt

S.197 - Sponsors: Rubin, Waller, Wise

The bill was modeled after the California Natural Death Act which was enacted on 1976.

S.197 was modified by the Senate Medical Affairs Committee working in conjunction with interested parties. The amended version was passed by the Senate 3/29/77. Reported out favorable from House Medical, Military, Public and Municipal Affairs 5/18/77.

H.2419 Majority favorable, Minority unfavorable, from House Judiciary 3/29/77. It provided that the Declaration would be legally binding only if executed after the Declarant had been declared terminally ill.

1978 - S.197 lost in the House by vote 52 to 45, 1/26/78.

H.2419 continued 1/18/78.

1979-1980 Legislative Session

1979 - The S.C. Natural Death Act, allowing for an optional procedure for withdrawal or withholding of life sustaining equipment in the event of terminal illness was re-introduced by the Committee.

H.2282 - Sponsors: Harris, Crow, Evatt,
Gulledge
S.166 - Sponsors: Rubin, Waller, Wise

S.166 passed the Senate 3/21/79. A public hearing was held before a subcommittee of the House Judiciary Committee on April 4 and again before the full House Judiciary Committee in September.

Organizations urging passage of S.166 were:
Christian Action Council; Christian Life and Public Affairs Committee of the S.C. Baptist Convention; Board of Church and Society of the United Methodist Conference; Social Ministries Committee of the S.C. Synod, Lutheran Church in America; S.C. Commission on Aging; S.C. Joint Legislative Committee on Aging; National Retired Teachers Association/American Association of Retired Persons; S.C. Medical Association; S.C. Society of Internal Medicine; S.C. Medical Association; S.C. Society of Internal Medicine; S.C. Public Health Association; S.C. Federation of Older Americans Legislative Forum: National Association of Retired Federal Employees, National Retired Teachers Association/American Association of Retired Persons, The Retired Officers Association.

1980 - S.166 reported out House Judiciary
Majority favorable, Minority unfavorable.
1/17/80

A vote on 2/28/80, to set the bill for special order lost by a vote of 6 to 5 in the House Rules Committee. S.166 remained on the House contested calendar and was not voted in 1980.

H.2282 was tabled in Committee.

1981-1982 Legislative Session

The Committee decided that action should originate in the House since the bill had passed the Senate twice.

1981 - Two bills were introduced: H.2320, H.2659

H.2320 - Sponsors: Harris, Campbell,
Parker, Evatt, Palmer, Freeman, Hardy,
Rudnick, Sheheen

The Natural Death Act, the same as S.166, providing that an adult with a terminal condition could make a written directive, was introduced in February 1981. Consideration for the 1981 session was lost by a vote of 12 to 10 to continue in the House Judiciary Committee.

H.2659 - Sponsors: Harris, Anderson,
Blackwell, Bundrick, Burriss, Busbee,
Campbell, Crocker, Eaddy, Evatt, McEachin,
Pratt, Reynolds, Sheheen

The Death with Dignity bill would authorize an adult to make a written directive instructing his physician to withhold or withdraw life-sustaining equipment in the event of a terminal condition. (Legally binding regardless of when it was executed). This bill was introduced April 2, 1981 and sent to the House Medical, Military, Public and Municipal Affairs Committee where it was not considered during the 1981 session.

1982 - H.2320 - Reported out with a Minority report (10-9), re-committed by a vote of 51-38, reported out again by a vote of 12-8 where it remained on the House contested calendar from February 10 to adjournment.

H.2659 - no action.

1983-1984 Legislative Session

No Natural Death Act or Death with Dignity bills were introduced.

1985-1986 Legislative Session

Two companion bills were introduced S.46, H.2041.

1985 - S.46 - Sponsors: Doar, Lourie, McLeod

Referred to Senate Medical Affairs. Senate Medical Affairs held a public hearing 2/20/85. The companion bill, H.2041 was passed by the House and sent to Senate Judiciary.

S.46 was tabled.

H.2041 - Sponsors: Keyserling, Altman, Anderson, Blackwell, Blanding, Burriess, Freeman, Harris, Hendricks, Huff, Hughston, Jones, Kirsh, Klapman, Lewis, Moss, Pearce, Rogers, Sheheen, Short, Simpson, Snow, Waldrop

Death with Dignity was introduced by Rep. Harriet Keyserling with 22 other sponsors, including the Committee on Aging members. Referred to House Judiciary Committee. Reported out favorable 1/22/85 by the Constitutional Laws subcommittee. Reported out Majority favorable,

Minority unfavorable, 1/22/85, on House contested calendar for 2nd reading. Passed House by a vote of 66-34 on 2/14/85. Referred to Senate Judiciary Committee. Senate Judiciary Committee reported out H.2041, on 3/20/85, majority favorable, Senator Nell Smith signing, minority unfavorable Senator Theodore Mitchell signing.

Four Senators indicated a desire to be present for the 3rd reading suggesting that they were in opposition, or wished to make amendments. They were Senators Thomas, Greenville; Branton, Summerville; Mitchell, Greenville; McConnell, Charleston.

1986 - Senator John Hayes led the supporters as the Senate passed the bill with amendments by a vote of 24-8, 1/29/86. The House amended the bill and concurred with the Senate amendments 2/20/86. On 2/21/86 a motion to reconsider was made and voted on 2/25/86, at which time a technical amendment was passed to include some language inadvertently omitted. The House voted again to concur in the Senate Amendments, 2/25/86. The Senate concurred with the House amendments, 2/26/86.

The bill was ratified 3/4/86, R.360.

The effective date is March 6, 1986, the day Act 341 was signed by the Governor.

LEGISLATIVE INTENT

PREAMBLE:

"Whereas, the General Assembly finds that adult persons have the fundamental right to control the decision relating to the rendering of their own medical care, including the decision to have life-sustaining procedures withheld or withdrawn in instances of a terminal condition; and

Whereas, in order that the rights of patients may be respected even after they are no longer able to participate actively in decisions about

themselves, the General Assembly by this act provides that an adult person may make a written declaration instructing his physician to withhold or withdraw life-sustaining procedures in the event of a terminal condition.

PROVISIONS 2/14/85

Voluntary (Sec. 5)
Does not constitute suicide (Sec. 9)
Permits only the natural process of dying,
prohibits mercy killing (Sec. 11)
Void if patient is pregnant (Sec. 5B)
Comfort care or alleviation of pain to be
administered (Sec. 2b)
Three qualified witnesses (Sec. 4(3))
Legally binding when terminal condition is
confirmed by two physicians. (Sec. 3)
May be revoked without regard to physical or mental
condition (Sec. 6)
Immunity for physician from civil and criminal
liability in carrying out the patient's
Declaration. (Sec. 7)

SENATE AMENDMENTS 1/29/86

Declaration must be notarized (Sec. 5)
If signed in a hospital or nursing home, one of the
witnesses must be an Ombudsman (Sec. 5A)
Criminal penalties for falsification (Sec. 13)(Sec.
14)
If patient does not have declaration, there is no
presumption as to intent to have procedures
withheld, withdrawn or continued. (Sec. 12)
Death is imminent without the use of
life-sustaining procedures (Sec. 2d)
Revocation only by declarant (Sec. 6)
Revocation procedures and requirements in bold face
print on the declaration (Sec. 5)

HOUSE AMENDMENTS 2/25/86

Technical amendments for clarification (Sec.
13),(Sec. 14)

Ombudsman designated by State Ombudsman, Office of
the Governor (Sec. 5a)
Form of Declaration conformed to bill provisions
(Sec. 5)

REFERENCE TO PRINTED VERSIONS:

<u>Action:</u>	<u>Date:</u>
1. Prefiled	12/10/84
2. House - Committee report	1/23/85
3. House - Amended and read 2nd time	1/31/85
4. House - Amended	2/14/85
5. Senate - Committee report	3/20/85
6. Senate - Amended and read 2nd time	6/5/85
7. Senate - Amended	6/6/85
8. Senate - Amended	1/28/86
9. Senate - Amended	1/29/86
10. Senate - Read 3rd time and sent to House	1/29/86
11. House - Senate amendments amended	2/25/86
12. Ratified No. 360	3/4/86
13. Signed by Governor	3/6/86
14. Act 341	3/6/86

3. LEGISLATIVE UPDATE

The status of legislation introduced by the Committee and other selected legislation related to aging interests is summarized periodically during the session. This information entitled "Legislative Update" is very popular among legislators, the aging network organizations and individuals and is distributed upon request.

4. S.C. HUMAN SERVICES INTEGRATION PROJECT

Chairman Patrick Harris serves on the Human Services Integration Policy Group responsible for directing policy for the S.C. Human Services Intergration Project of the State Reorganization Commission.

South Carolina is one of five state receiving funds from the U.S. Department of Health and Human Services for a pilot project to demonstrate

integrated service delivery systems for human services. Maine, along with South Carolina, received a grant for statewide projects, whereas Arizona, Florida, and Oklahoma obtained money for projects that will be sub-state in scope.

The project, which will run for 3 1/2 years, had a start-up date of May 1, 1985. S.C. received \$150,000 the first year and will receive approximately \$1.5 million for the remainder of the project.

The Deficit Reduction Act of 1984, Sec. 1136 of the Social Security Act, mandates nine specific activities:

- 1) Development of a common set of terms
- 2) Development of a single comprehensive family profile
- 3) Establishment of a single resources directory
- 4) Development of a unified budget and budgeting procedures, unified accounting system and standardized audit procedures
- 5) Implementation of unified planning, needs assessment, and evaluation
- 6) Consolidation of agency locations and transportation
- 7) Standardization of purchase-of-service procedures
- 8) Creation of communication linkages among agencies
- 9) Development of uniform application and eligibility determination procedures

5. SENIOR CITIZENS DAY WITH THE LEGISLATURE

This year the S.C. Federation of Older Americans and the AARP requested a hearing before the Joint Legislative Health Care Planning and Oversight Committee to present testimony concerning health care.

Dr. Robert T. Murphy, M.D., State Coordinator, Health Advocacy Services, AARP, spoke for the groups. He advocated open publication of fee schedules for hospital care; protection of small hospitals against financial hardship; additional action to promote health care of minorities; and

action to reduce the number of empty beds in the 86 hospitals in the state.

About fifty persons from across the state attended the meeting.

6. CAROLINA'S PROGRAM ON MEDICINE AND SOCIETY

A statewide effort called Carolina's Program on Medicine and Society was initiated and cofunded by the S.C. Committee for the Humanities and the Duke Endowment.

Recent advances in medical knowledge and technology have been so dramatic and have occurred so rapidly that the medical community, the public and their elected representatives are experiencing difficulty understanding the problems and ethical questions raised by these advances.

The project, "Medicine and Society in the Midlands," seeks to promote a broader understanding of the ethical dimensions of many of these health care issues. The first of three public town meetings held February 4, 1986 in Columbia concerned "Caring for the Elderly: Life at all costs." Ms. Barron served on the planning committee and former Senator Hyman Rubin participated as a panelist.

7. LEGISLATIVE INTERN PROGRAM

Columbia College, Department of Social Work, placed a student, Carol Dukes, with the Committee for the Spring semester. The college has used the Committee as field placement for seven years. Students become involved in the legislative process, aware of issues affecting the elderly and understand advocacy for the elderly. Because of the mutual benefits of the placement, the College and the Committee determined that such internship would be regularly offered.

Miss Dukes' responsibilities included observing the legislative process, attending various meetings, obtaining an understanding of the aging network by visiting area agencies serving the

elderly citizens, gathering information on Committee legislation, issues, and concerns and compiling information for a fact sheet on elderly South Carolinians.

8. COMMITTEE AND STAFF LIAISON ACTIVITIES

Members of the Committee and/or staff worked co-operatively throughout the year with the Commission on Aging, Tax Commission, Comptroller General's Office, State Election Commission, State Retirement System, Department of Social Services, Department of Health and Environmental Control, State Library, Commission on Alcohol and Drug Abuse, State Reorganization Commission, Joint Judiciary Subcommittee on Probate Code Revision, Governor's Resource Panel for the Elderly, Department of Religious Studies, College of Nursing, College of Social Work of the University of South Carolina.

Committee representatives on other committees are as follows: Representative Patrick Harris, Health Care Planning and Oversight Committee and the Human Services Integration Project; Rep. Dill Blackwell, Governor's Task Force on Prescription Drugs. The Committee is represented by staff on the Task Force Implementation Committee of the Governor's Resource Panel on the Elderly, Advisory Board of the S.C. Gerontology Center and the Geriatric Clinical Emphasis Advisory Committee, USC College of Nursing.

Committee members and/or staff regularly attend sessions of the following organizations interested in aging: American Association of Retired Persons, S.C. Federation of Older Americans, and the S.C. Gerontological Society.

Regular contact is maintained with committees and agencies of other states as well as with the Senate Special Committee on Aging and the House Select Committee on Aging of the U.S. Congress, on which Third District Congressman Butler Derrick serves.

Public presentations are made frequently by the Committee and staff to large and small community and church groups, conferences, workshops, and

continuing education programs for hospitals and nursing homes.

Information about numerous aging issues and legislative action are distributed upon request to members and staff of the S.C. Legislature and other state legislatures, state agency personnel, national and state organizations and interested citizens.

9. PUBLICATIONS

The following publications are available from the Committee office and distributed upon request:

1. Annual Reports 1970-1985
2. "Declaration of a Desire for a Natural Death" Form and Act
3. State Services for Senior South Carolinians, 1981
4. Housing for Senior Citizens in S.C., 1982
5. S.C. Boards and Commissions, Opportunities for Older Citizen Representation, 1982
6. "Homestead Tax Exemption Program," 1985
7. "Personal Medical Record," "As We Grow Older", 1985
8. "Get the Answers", February 1986
9. "Dental Care for Qualified Senior Citizens"
10. "The Elderly," Southeastern Human Services News, April 1986
11. "The Elderly, Growing Old in the Southeast," Legislative Update, House of Rep., April 1986
12. "No Easy Choices: Options for Your Older Parents" April 1986
13. "Community Long Term Care," June 1985
14. S.C. Senior Citizens Handbook, A Guide to Laws and Programs Affecting Senior Citizens, May 1985
15. Directory of Research Personnel, 1985-86
16. "A History of the S.C. Commission on Aging, 1966-1986"
17. "Senior Assurance", A Directory of Services Provided to the Elderly by S.C. Hospitals,

1. MANAGEMENT AND PERFORMANCE REVIEW
OF THE S.C. COMMISSION ON AGING, AREA AGENCIES
AND SERVICE PROVIDERS

Governor Riley in an effort to ensure that South Carolina is prepared to address the special needs of the growing elderly population, in cooperation with the South Carolina Commission on Aging and the Joint Legislative Committee on Aging, initiated a comprehensive management and performance review of the South Carolina Commission on Aging, area agencies on aging, and local service providers. The purpose of the review was to attain a comprehensive analysis of the aging network and its capacity to address existing and future needs of the state's growing elderly population up to the year 2000.

MGT of America, Inc. of Tallahassee, Florida was awarded the contract in October, 1985. The final report was issued January 31, 1986. Copies may be secured from Mary Barnette, Deputy Director, Division of Health and Human Services, 1205 Pendleton St., Columbia, S.C. 29201

The report recommends greater emphasis on long-range and strategic management planning as well as enhancement in the areas of advocacy, resource development, program development, and coordination among each level of the service delivery network for the aging.

The MGT Study Ad Hoc Advisory Committee on which Chairman Harris and Mrs. Barron serve will develop a plan for implementation of the recommendations of the report.

2. GOVERNOR'S RESOURCE PANEL ON THE ELDERLY

"Building on Experience: Creative Initiatives for the New Generation of Older South Carolinians", the final report of the Implementation Committee

chaired by Professor Len Tartaglia was submitted to the Governor on February 28, 1986.

The report contained three major strategies: (1) A statewide Public Education campaign, (2) The creation of an Advisory Council on Elder Affairs, and (3) A computer information tracking system to monitor the status of recommendations made by the Governor's Resource Panel covering six major areas:

a) economic security, b) long term care, c) employment opportunities, d) life enhancing initiatives, e) community service options, and f) housing alternatives.

Copies of this report may be secured from Winston Thomas, Office of the Governor, Division of Health and Human Services, 1205 Pendleton St., Columbia, S.C. 29201

3. TASK FORCE ON PRESCRIPTION DRUGS

The final report of the Task Force on Prescription Drugs was submitted to the Governor on December 1, 1985. Rep. Dill Blackwell served on the Task Force, chaired by Senator Elizabeth Patterson. Mrs. Barron worked with the Education subcommittee.

A consumer education program, "Get the Answers", was initiated by the Task Force in cooperation with the Governor's office, S.C. Alcohol and Drug Abuse Commission, Consumer Affairs Department, Joint Legislative Committee on Aging, S.C. Medical Association, S.C. Nurses Association, S.C. Dental Association, S.C. Pharmaceutical Association and their respective student associations. This program culminated in Patient Information and Education Month proclaimed by Governor Riley for February 1986.

Copies of the Report may be obtained from William L. Belvin, Jr., S.C. Alcohol and Drug Abuse Commission, 3700 Forest Drive, Suite 300, Columbia, S.C. 29204

APPENDIX A
SOUTH CAROLINA VOTING HISTORY AND STATISTICS
GENERAL ELECTION STATISTICS 1984
VOTER ACTIVITY BREAKDOWN BY AGE WITHIN COUNTY

-----65 & OVER-----							
COUNTY	TOTAL REGISTERED	TOTAL VOTED	% VOTED	% VOTED	TOTAL REGISTERED	TOTAL VOTED	% VOTED
ABBEVILLE	10,426	6,882	0.66	0.74	2,280	1,547	0.67
AIKEN	52,971	38,382	0.72	0.81	8,698	6,490	0.74
ALLENDALE	5,457	3,889	0.71	0.79	1,089	802	0.73
ANDERSON	52,712	37,111	0.70	0.77	9,836	6,856	0.69
BAMBERG	8,390	5,973	0.71	0.82	1,681	1,233	0.73
BARNWELL	10,479	7,299	0.69	0.77	1,821	1,308	0.71
BEAUFORT	33,463	22,277	0.66	0.78	6,412	5,036	0.78
BERKELEY	37,077	27,919	0.75	0.81	4,145	3,229	0.77
CALHOUN	6,660	5,189	0.77	0.84	1,194	996	0.83
CHARLESTON	129,585	92,925	0.71	0.81	18,762	14,505	0.77
CHEROKEE	19,073	13,039	0.68	0.75	3,526	2,408	0.68
CHESTER	12,232	8,920	0.72	0.79	2,716	1,964	0.72
CHESTERFIELD	15,791	10,149	0.64	0.70	3,065	2,053	0.66
CLARENDON	15,021	10,844	0.72	0.80	2,815	2,107	0.74
COLLETON	15,278	11,460	0.75	0.84	2,937	2,276	0.77
DARLINGTON	27,294	19,073	0.69	0.76	4,505	3,241	0.71
DILLON	13,022	8,170	0.62	0.72	2,170	1,455	0.67
DORCHESTER	31,076	22,096	0.71	0.79	3,904	2,944	0.75
EDGEFIELD	8,726	6,552	0.75	0.83	1,423	1,067	0.74
FAIRFIELD	10,082	7,432	0.73	0.80	1,862	1,417	0.76
FLORENCE	52,119	37,369	0.71	0.81	7,519	5,688	0.75
GEORGETOWN	20,752	14,713	0.70	0.80	3,717	2,866	0.77
GREENVILLE	121,717	94,252	0.77	0.85	19,016	14,950	0.78

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SOUTH CAROLINA VOTING HISTORY AND STATISTICS
GENERAL ELECTION STATISTICS 1984
VOTER ACTIVITY BREAKDOWN BY AGE WITHIN COUNTY

-----65 & OVER-----							
COUNTY	TOTAL REGISTERED	TOTAL VOTED	% VOTED	% VOTED	TOTAL REGISTERED	TOTAL VOTED	% VOTED
GREENWOOD	24,378	17,242	0.70	0.79	4,659	3,515	0.75
HAMPTON	10,143	7,396	0.72	0.82	1,745	1,271	0.72
HORRY	50,122	33,776	0.67	0.75	9,341	6,756	0.72
JASPER	8,866	6,997	0.78	0.87	1,379	1,148	0.83
KERSHAW	17,951	14,056	0.78	0.85	2,994	2,340	0.78
LANCASTER	20,930	16,274	0.77	0.82	3,941	3,029	0.76
LAURENS	20,901	15,233	0.72	0.82	4,350	3,225	0.74
LEE	10,533	7,646	0.72	0.82	1,780	1,347	0.75
LEXINGTON	64,055	50,162	0.78	0.84	7,542	5,828	0.77
MCCORMICK	3,795	2,668	0.70	0.79	717	489	0.68
MARION	14,013	9,823	0.70	0.78	2,706	1,950	0.72
MARLBORO	14,507	8,340	0.57	0.67	2,496	1,607	0.64
NEWBERRY	13,837	11,075	0.80	0.84	3,465	2,710	0.78
OCONEE	20,364	13,497	0.66	0.71	3,905	2,607	0.66
ORANGEBURG	42,863	31,650	0.73	0.84	7,051	5,510	0.78
PICKENS	29,480	21,065	0.71	0.77	5,074	3,558	0.70
RICHLAND	123,792	89,796	0.72	0.82	16,347	12,768	0.78
SALUDA	7,234	5,456	0.75	0.83	1,565	1,150	0.73
SPARTANBURG	85,148	63,306	0.74	0.80	14,728	10,942	0.74
SUMTER	36,159	24,303	0.67	0.79	5,388	3,963	0.73
UNION	14,674	10,817	0.73	0.82	3,091	2,280	0.73
WILLIAMSBURG	19,682	14,381	0.73	0.83	3,491	2,622	0.75
YORK	41,960	31,827	0.75	0.82	7,077	5,244	0.74
STATE TOTALS	1,404,790	1,018,701	0.72	0.80	229,925	172,297	0.74

APPENDIX B

GROWTH OF SOUTH CAROLINA ELDERLY POPULATION PROJECTION
1940 - 2000

	1940	1950	1960	1970	1980	1990P	2000P
TOTAL POPULATION	1,899,804	2,117,027	2,382,594	2,590,516	3,121,820	3,770,000	4,328,500
60+	126,345	169,560	217,985	286,272	416,144	568,814	649,413
75+	19,322	30,817	47,170	65,736	99,195	153,966	206,350
60+: % OF TOTAL POPULATION	6	8	9.1	11	13.3	15.1	15.0
75+: % OF TOTAL POPULATION	1.01	1.45	1.97	2.53	3.17	4.1	4.8
75+: % OF ELDERLY POPULATION	15.2	18.1	21.6	22.9	23.8	27.1	31.8

Prepared by S.C. Commission on Aging
April, 1985

PRELIMINARY POPULATION PROJECTIONS, 1985-2010
FOR AGES: 65 AND OLDER

	1985	1990	1995	2000	2005	2010
ABBEVILLE	3100	3430	3530	3570	3620	3950
AIKEN	12350	14920	17200	18720	19580	21500
ALLENDALE	1550	1780	1840	1960	2060	2240
ANDERSON	17090	20090	22170	23920	25880	28880
BAMBERG	2230	2370	2390	2410	2340	2320
BARNWELL	2320	2550	2700	2790	2850	3170
BEAUFORT	8240	12000	16630	21250	26030	32530
BERKELEY	6600	8910	11110	14030	17550	24540
CALHOUN	1520	1580	1600	1550	1540	1640
CHARLESTON	26500	32140	36520	39290	41610	45920
CHEROKEE	4870	5780	6320	6790	7260	7970
CHESTER	4240	4890	5210	5280	5210	5230
CHESTERFIELD	4810	5620	6210	6660	7190	8040
CLARENDON	3520	4080	4500	4840	5340	6150
COLLETON	4060	4520	4830	5130	5470	6080
DARLINGTON	6920	7980	8650	9130	9530	10390
DILLON	3440	3930	4190	4290	4530	5030
DORCHESTER	5280	7400	9800	13170	18430	26450
EDGEFIELD	2050	2340	2570	2770	2950	3370
FAIRFIELD	2790	3220	3550	3770	3940	4150
FLORENCE	11240	13000	14180	15050	15950	17630
GEORGETOWN	4920	6180	7060	7680	8320	9700
GREENVILLE	32630	37870	41590	44210	46320	50980
GREENWOOD	7410	8220	8810	9140	9330	10040
HAMPTON	2460	2820	3010	3100	3210	3440
HORRY	14180	20650	27960	36540	46260	60510
JASPER	1680	1740	1770	1840	1960	2140
KERSHAW	4610	5500	6280	6870	7540	8700
LANCASTER	6100	7060	7790	8330	9000	10110
LAURENS	7120	8130	8750	9090	9290	9830
LEE	2050	2180	2170	2170	2130	2310
LEXINGTON	12390	15270	17340	19480	21920	26640
MCCORMICK	940	1020	1080	1120	1130	1230
MARION	4040	4500	4690	4700	4750	4960
MARLBORO	3670	4070	4260	4330	4390	4800
NEWBERRY	4870	5240	5270	5100	4980	5310
OCONEE	6220	6990	7630	8680	9760	11110
ORANGEBURG	9510	10650	11240	11610	12060	13100
PICKENS	8340	9490	10090	10770	11510	12590
RICHLAND	23840	27620	29990	31330	32300	35010
SALUDA	2300	2570	2760	2870	2930	3160
SPARTANBURG	24390	27330	29100	30390	31890	34780
SUMTER	7970	9280	10290	11320	12330	13430
UNION	4190	4750	5110	5270	5440	5600
WILLIAMSBURG	4250	4670	4790	4790	4760	5100
YORK	11150	13200	14850	16400	18100	20990
THE STATE	345900	409500	459400	503500	550400	632700

STATE BUDGET AND CONTROL BOARD
DIVISION OF RESEARCH AND STATISTICAL
SERVICES
5/86

Appendix C
STATE ORGANIZATIONS

South Carolina Federation of Older Americans

Dr. Hayden Igleheart, Pres.

Lander College

Greenwood, S.C. 29646 229-8400

SCFOA Office

Wil Lou Gray School

West Campus Rd.

West Columbia, S.C. 29169 796-9672

Legislative Forum (SCFOA)

Rev. Carl May

6506 Satchel Ford Road

Columbia, S.C. 29206 782-7312

American Association of Retired Persons

Dr. Allen Edwards, State Director

1177 Mary Dale Lane

Rock Hill, SC 29730 327-3791

Joint Legislative Committee (AARP)

Everette Dean

P.O. Box 596

Pamplico, S.C. 29583 493-2486

S.C. Gerontological Society

Dr. Harold Park, President

Director of Continuing Education

Lutheran Theological Southern Seminary

4210 Main St.

Columbia, SC 29203 786-5150

Midlands Gerontological Society

Judy Anderson, President

State Park

P.O. Box 98

Columbia, S.C. 29147 758-4567

S.C. Retired Educators Association

Mrs. Leslie T. Gilbert, President

421 Zimalcrest Dr.

Columbia, SC 29210

772-6553

S.C. Association of Council on Aging Directors

Kay Jamerson-McDonagh

Sumter Council on Aging

P.O. Box 832

Sumter, S.C. 29150

773-5508

ASSOCIATION LIAISON

S.C. Hospital Association

Mrs. Margaret Wickenberg

4540 Fernwood Road

Columbia, SC 29206

787-3358

STATE AGENCIES

S.C. Commission on Aging

Rev. M. L. Meadors, Jr., Chairman

Mr. Harry Bryan, Exec. Director

915 Main St.

Columbia, SC 29201

758-2576

S.C. Commission on Aging -

Statewide Advisory Committee on

Alzheimer's Disease

Kay Mitchell, Staff

915 Main St.

Columbia, S.C. 29202

758-2576

Community Long Term Care

Delores Wilkie

Health and Human Services Finance Commission

1801 Main St.

Columbia, S.C. 29202-8206

758-2921

Appendix D

Summary of Legislation Enacted Through 1985 Related to Aging Interests

AGING COMMITTEE

Establishment of Permanent Committee

The Committee to Study Public and Private Services, Programs and Facilities for the Aging has been continued as a permanent legislative study committee (Code 2-51-10, 1978).

COMMISSION ON AGING

Establishment of State Agency

The S.C. Interagency Council on Aging (Act No. 749, 1966) was recognized and designated the South Carolina Commission on Aging in 1971.(Code 43-21-10, 1971).

CONSUMER REPRESENTATION

"Lay," "consumer," "public" members are added to the following boards: Occupational Therapy (Act 139 Sec. 6, 1982), Podiatry (Code 40-51-30, 1982), Speech Pathology and Audiology (Code 40-67-20, 1982), Psychology (Code 40-55-20, 1982), Physical Therapists (Code 40-45-10, 1982), Opticianry (Code 40-38-10, 1982), Optometry (Code 40-37-10, 1982), Social Workers (Code 40-63-20, 1982), Contractors (Code 40-11-20, 1983), Engineering (Code 40-21-40, 1983), Environmental Systems Operators (Code 40-23-20, 1983), Architects (Code 40-3-30, 1984).

CRIME

Compensation of Victims of Crime

The S.C. Victim Compensation Board has been established to administer a program of financial assistance and awards to victims of crime (Code 16-3-1110-1340, 1982).

Victim's Witness's Bill of Rights:

This Bill of Rights is to be used as a guide to officials in establishing appropriate policies and procedures for the treatment and handling of victims and witnesses. State or local law enforcement agencies shall assume the costs for evidentiary collection in retrieving, towing or storing a stolen conveyance and costs for routine medical exams for victims of criminal sexual conduct, effective October 1, 1985 (Code 16-03-1530, 1984).

EDUCATION

Establishment of the Community Education Advisory Council

The Community Education Advisory Council has been established to promote and coordinate the utilization of school and other community facilities to meet the needs of the community (Code 59-44-50, 1976).

Free Tuition at State Educational Institutions

State-supported colleges, universities and technical schools may permit South Carolina residents at least 60 years of age to attend classes on a space available basis without payment of tuition (Code 59-111-320, 1974, 1978).

HEALTH

Adult Abuse and Protection Act

Abuse, neglect or exploitation of a senile or developmentally disabled person has been prohibited. Protective services are provided (Code 43-29-40, 1974, 1976).

Adults in Life Threatening Situations

Procedures by a law enforcement officer for taking an adult in a life-threatening situation into protective custody has been mandated (Code 23-1-220, 1984).

Bill of Rights for Residents of Long Term Care Facilities

Each resident must be given by the facility a written and oral explanation of the rights, grievance procedures and enforcement provisions of the Bill of Rights (Code 44-81-10-70, 1985)

Client Patient Protection Act

Abuse or neglect of a client or patient in any public or private facility has been defined, made unlawful, and must be reported within twenty hours (Code 43-30-10-100, 1984).

Creation of a Long-Term Care Division

The Long-Term Care Division has been established within the S.C. Department of Mental Health and is under the direction of a deputy commissioner (Code 44-9-50, 1976).

Definition of Death

The Uniform Determination of Death Act was passed defining death as 1) irreversible cessation of circulatory and respiratory functions or 2) irreversible cessation of all functions of the entire brain, including the brain stem (Code 44-43-460, 1984).

Establishment of Licensing Authority for Adult Day Care Centers

The licensing authority for adult day care facilities has been established under the Department of Health and Environmental Control (Code 44-65-10, 1976).

Establishment of Hypertension Screening Clinic

The Department of Health and Environmental Control has established a network of Hypertension Screening and Treatment Clinics throughout the state to detect and treat hypertension (high blood pressure). This condition, often symptomless, occurs more than twice as often among people aged 65-80 than in the population as a whole (Appropriation Act, 1974-1975).

Establishment of a Monetary Penalty System for Health Care Facilities

A monetary penalty system has been established for the violation of licensing standards in hospitals, nursing homes, and intermediate care facilities (Code 44-7-360, 1976).

Exemption from Sales Tax on Prescription Drugs and Prosthetic Devices

In 1973, the General Assembly passed legislation to exempt those persons 65 years of age and older from paying sales tax on prescription drugs and prosthetic devices. This law was amended in 1974 to reduce the age to 50 (Code 12-35-560, 1973, 1974). In 1976, the sales tax on prescription drugs was repealed (Act 709).

Eyeglasses Discounts

Special discounts are not prohibited on purchases of spectacles, eyeglasses, lenses or any part used in connection therewith to persons over sixty-two years of age (Code 40-37-240, 1978).

Regulation of Fitting and Selling of Hearing Aids

South Carolina statutes have been enacted which govern the licensing of persons who fit and sell hearing aids, and regulate the manner in which they conduct their business (Code 40-25-40, 1971, 1972, 1978). A representative of the general public has been added to the Hearing Aid Dealers and Fitters Commission within DHEC (Code 40-25-40, 1978). Licensing regulations have been amended to provide continuing education requirements (Code 40-25-150, 1982). Hearing aids and their attachments are exempt from sales tax (Appropriation Act 1985-86).

Home Health Agency Licensure

Public, nonprofit and proprietary home health agencies have been required to be licensed by DHEC, (Code 44-69-10, 1978) and to obtain a Certificate of Need prior to licensure (Code 44-69-75).

Any person, organization, political subdivision, or governmental agency representing itself as

providing Home Health services must be licensed by DHEC (Code 44-69-30, 1983).

Hospital Restructuring

Counties, municipalities and Health Service Districts in the State may form corporations or reincorporate and operate health care facilities and publicly owned hospitals on the same basis as not-for-profit or proprietary hospitals (Code 44-7-1430, 1984).

Hospice

The authority to regulate and license hospice programs has been established under the Department of Health and Environmental Control (Code 44-71-10-110, 1983).

Itemized Billing

Skilled nursing homes, intermediate care facilities and residential care facilities have been required to provide an item-by-item billing of all charges for all services to the patient or person paying the bill, on request (Code 43-27-40, 1975).

Licensing of Community Residential Care Facilities

Community residential care facilities licensing has been consolidated under the Department of Health and Environmental Control, excepting those serving children and adolescents and chemical abuse residential treatment facilities operated by the State Department of Mental Health. Each client must have an individual plan of care and itemized billing (Code 44-7-310, 44-21-510, Effective April 15, 1985).

Medicaid Income Limitations

The state limitation on the maximum income a person may receive and be eligible for skilled and intermediate nursing care has been increased to be in line with the federal limitation (Appropriation Act, 1979-1980).

Nursing Home Administrators

The composition and qualification of the members of the Board of Nursing Home Administrators have been changed to establish licensure, educational and experience requirements. Continuing education has been mandated (Code 40-35-10, 1980).

Ombudsman

A Nursing Home Ombudsman who receives complaints or reports concerning patient care and who investigates and seeks to resolve complaints has been established in the Governor's office (Code 43-37-10, 43-37-20, 1977).

In 1980 these code sections were repealed, the title changed to Ombudsman and the duties and responsibilities broadened (Code 43-38-10, 43-38-50, 1980).

HOMESTEAD TAX EXEMPTION

Homeowners

Homeowners who are 65 or older and have resided in the state for at least one year receive the benefits of a homestead tax exemption which provides that the first \$20,000 of the fair market value of the dwelling place, including mobile homes on leased land, shall be exempt from municipal, county, school and special assessment real property taxes (Code 12-37-250, \$20,000--1985, \$15,000--commencing July, 1980, \$12,000--1978, \$10,000--1971).

Reimbursement

Counties and municipalities are reimbursed by the state for losses they incur by reason of granting the exemption (Code 12-37-270, 280, 1971).

Application

Applications for homestead exemption are purchased and distributed to the counties by the Comptroller General's office (Code 12-37-250, 1979).

The application deadline from January 1 to May 1 was extended to June 30 for 1984 only (Code 12-37-252, 1984), to June 15 for 1985 (Act.235, 1985).

The requirement for annual reapplication has been repealed. However, if a person's eligibility changes and the County Auditor is not notified, a lien or penalty may be imposed (Code 12-3-145, 12-37-255, 1981).

Surviving Spouse

Exemption is provided for a surviving spouse 50 years of age or older. This exemption allows the surviving spouse nine months in which to obtain complete fee simple title to the homestead if spouse died intestate and to continue the exemption if the dwelling place is on leased land (Code 12-37-250, 1979). The surviving spouse may transfer such exemption to a newly acquired dwelling place (Code 12-37-250, 1982).

Part Ownership

The Homestead Exemption shall apply to eligible persons who own a dwelling in part in fee or in part for life and also a dwelling when the legal title is held by a trustee (Code 12-37-250, 1980).

Residential Classification

The classification of property qualifying for the Homestead Exemption shall be residential and taxed on an assessment equal to 4% of the property's fair market value (Code 12-37-250, 1980).

Any agriculturally classified lands that are a part of the homestead shall be taxed on an assessment equal to 4% of the lands' value for agricultural purposes (Code 12-37-250, 1984).

Qualification

Payment of real property taxes on or before March 15 following the year for which Homestead Exemption is claimed shall not be a condition to qualify for the exemption (Code 12-37-250, 1980).

Life Estates

Life estates shall qualify for Homestead Exemption when the person entitled to the exemption creates such an estate by conveying the remainder to the homestead in fee reserving to himself a life estate (Code 12-37-250, 1980).

Homestead Exemption shall apply to life estates created other than by will and on or before December 31, 1979 instead of December 31, 1971 (Code 12-37-250, 1980).

Penalty

Due to the increase in property taxes resulting from implementation of Act 208, the time for payment of taxes was extended to March 1, without penalty, for 1983 only (Code 12-37-250, 1983).

HOUSING

Establishment of State Housing Authority

A State Housing Authority has been established. Its purpose among others, is to encourage the growth of specialized housing for the elderly (Code 31-3-110, 1971).

Tax Exemption for Nonprofit Housing for the Elderly

Private, nonprofit organizations have been exempted from real estate taxes on property used as specialized housing for the elderly (Code 12-37-220, 1971).

Condominium Conversion

The Rights and duties of owners, landlords and tenants when rental units are converted to condominium ownership have been established. Persons 60 and over have 120 days before they must vacate. Persons under 60 have 90 days. (Code 27-31-10-300, 410-430, 1983)

INCOME TAX

Dependent Care

Credit for expenses for household and dependent care services necessary for gainful employment may be claimed as provided in Internal Revenue Code 21, except "applicable percentage" means 75 and is not reduced if adjusted gross income exceeds \$10,000. (Code 12-7-618, 1985)

Residential Exclusion

The gain or the sale of the personal residence by an individual 55 or older is excluded from gross income for the purposes of State income tax, up to \$125,000, as a one-time residential exclusion (Proviso, FY 83-84 Appropriation Act).

Retirement Exclusion

Civil service retirees, military retirees and regular retirees are allowed to deduct from taxable income \$3000 of the pension income received in each taxable year (Code 12-7-435, 1985)

Social Security Exemption

State taxation of income from Social Security and Railroad Retirement Benefits has been prohibited (Code 12-7-560, 1984).

Volunteer Mileage Deduction

Volunteers may deduct 14 cents per mile for travel for Volunteer Services for charitable organizations (Code 12-7-700, 1984). Repealed by Act 101, S.C. Federal Income Tax Conforming Amendments, effective 5/21/85, allowing 12 cents, (Code Title 12, Chapter 7, 1985)

INSURANCE

Standards of Readability

Department of Insurance regulations have been enacted to provide for minimum standards of readability of commonly purchased insurance policies (Code 38-3-61, 1979).

Medicare Supplement Insurance Regulations

Department of Insurance regulations have been enacted to eliminate unfair and deceptive practices in the promotion, solicitation, sale and replacement of individual accident and health insurance policies to persons who are qualified for Medicare by reason of age and to persons who have a current Medicaid eligibility card (Vol. 25--Rule 69-34.1.2. 1980). Group Medicare Supplement insurance must meet federal minimum standards, including seventy-five per cent loss ratio (Code 38-35-940, 1982).

"Free Look"

Accident and health or hospitalization insurance policies must permit the insured to return such policy for any reason and if solicited by direct response insurer, the insured shall have 30 days in which to return the policy and to receive full return of the premium (Code 38-35-140, 1982).

JURY SERVICE

Age Discrimination Eliminated

The maximum age of 65 has been eliminated as a qualification for jury service (Code 14-7-140, 1974).

LEGAL AFFAIRS

Durable Power of Attorney

Whenever a person designates another his attorney by a power of attorney, this power has been extended, if the principal so desires in writing, so that it is not affected if he becomes incapable of managing his own estate due to physical disability or mental incompetence (Code 32-13-10, 1978).

MENTAL HEALTH

Transportation

Friends and relatives may transport individuals alleged to be mentally ill to the appropriate health facility (Code 44-17-440, 1982).

Hearings

Hearings for Mental Health Judicial Commitment proceedings may be held on the same day as the designated examinations (Code 44-17-540, 1982).

RECREATION

Free Hunting and Fishing Licenses

Residents of South Carolina for at least one year who are 65 or older have been made eligible for free hunting and fishing licenses from the Department of Wildlife and Marine Resources (Code 50-9-840, 1978).

Free Admission to Certain State Park Facilities

South Carolinians aged 65 or older have been granted free admission to state park facilities for which a charge is customarily made (except overnight lodging, and recreation buildings) and are granted half-price admission to campsites (Code 51-3-60, 1973, 1975, 1979).

RETIREMENT

Cost-of-Living Increases in Retirement Benefits

Teachers, state employees and other public workers covered by the South Carolina Retirement System have been granted increased benefits from the system, not to exceed four percent, when the cost of living rises (Code 9-11-310, 1974). The maximum waiting period for cost of living increases for future retirees has been reduced from 24 months to 12 months (Code 9-1-1810, 9-11-310, 1984).

Five percent increases in retirement benefits for state employees and teachers who retired prior to July 1972 (Appropriation Act 1977-78).

A special fund has been created to administer the cost of living increase for retired members and beneficiaries of the system and to increase the employer rate of contribution (Code 9-1-100, 1980).

A one-time bonus of 2% payable Nov. 30, 1984, to persons in the system for the last two Julys was

passed (Appropriation Act 1984-85). Bonus of 1% for 1985 authorized (Appropriation Act 1985-86).

If the cost of living advances at least 3% for the two previous Decembers as measured by the Consumer Price Index, retired members (on the second July 1st and each July 1st thereafter) received a 4% increase. In those years when it is less than 3%, retired members will receive an increase equal to the Consumer Price Index. Prior to this amendment, no increase was granted if the CPI was less than 3%. (Code 9-1-1810, 9-11-310, 1984).

Death Benefit

A retiree, whose most recent employer prior to retirement is participating in the Group Life Insurance Program will qualify the beneficiary for a death benefit as follows: 10 years through 19 years service credit, \$1000; 20-29, \$2000; at least 30 years, \$3000. This benefit will cover all state employees, including school district employees and nearly all local government employees. (Appropriation Act 1985-86).

Dental Insurance

The cost of dental insurance for retirees will be funded from the Insurance Reserve Fund. (Appropriation Act 1984-85)

Dues

Upon request from the retiree, the system may withhold dues for the State Employees Association (Appropriation Act 1985-86)

Establishment of Retirement and Preretirement Advisory Board

A Retirement and Preretirement Advisory Board has been established to review retirement and preretirement programs and policies, propose recommendations and identify major issues for consideration. Two of the members of the eight-member Board shall be retired (Code 9-120, 1976).

Retirement After 30 Years of Service

Members of the South Carolina State Retirement System may retire at 65 years of age or after 30 years of service (Code 9-1-1510, 1975).

Early Retirement

The penalty for retirement prior to age 65 with less than 30 years of service has been changed from five-twelfths of 1% for each month prior to age 65 to being pro-rated on the basis of days (Code 9-1-1550, 1650, 1984).

Mandatory Retirement

Any employee or teacher in service who has attained the age of seventy years shall be retired except that with the approval of the employer and the Board he or she may be continued on a yearly basis until reaching the age of seventy-two (Code 9-1-1530, 1978, 1979).

Earnings Limitation

The earnings limitation is increased from \$7,000 to \$7,500 for retired members returning to employment covered by the Retirement System. There is no limitation (except for disability retirement) for retirees working in the private sector (State Appropriation Act 1985-86).

Medical Insurance

The cost of medical insurance for retired state employees and teachers on the same basis as active employees, beginning July 1, 1980 has been assumed by the State (Appropriation Act, 1979-80).

Preretirement Education

A Preretirement Education Program for members of the South Carolina Retirement Systems was established (Appropriation Act, 1979-80). This program is administered by the South Carolina Retirement Systems. Sixty-two seminars were held from June 1985 through May 1986 for state agencies, educational institutions, local governments, and political subdivisions reaching over 6000

individuals. This program is designed to assist the public sector in preparing for financial retirement in addition to a smooth transition into retirement.

South Carolina was instrumental in establishing the National Preretirement Education Association for Public Employees in 1984. South Carolina's program has been used as a model for twenty-three other states.

The newsletter, the Systems Update, is published semi-annually and circulated to more than 200,000 active members and retirees.

Reciprocal Agreements

The State has been allowed to enter into a reciprocal agreement with another state to refrain from taxing retirement income (Code 12-7-565, 1976).

Survivor Option

The balance of a member's contribution not recovered prior to the death of the member or a survivor, if selected, would be refunded to the member's estate, instead of remaining in the system.

A member who dies in service with at least 15 years service credit will qualify the beneficiary for a monthly annuity for life. The beneficiary will also receive the group life insurance benefit payment if the employer is participating in the insurance program. (Code 9-9-100, 9-11-70, 110, 1984, 1985).

TRANSPORTATION

Interagency Council

The Interagency Council on Transportation has been established to give advice and make recommendations to the Department of Highways and Public Transportation and to the General Assembly on all matters related to public transportation in the State. Member agencies and offices are:

Office of the Governor, Office of the Lieutenant Governor, Regional Transportation Authorities, S.C. Association of Counties, S.C. Assn. of Regional

Planning Councils, S.C. Commission on Aging, S.C. Department of Education, S.C. Dept. of Hwy. & Publ. Trans., S.C. Parks, Recreation and Tourism, S.C. Dept. of Social Services, S.C. Dept. of Vocational Rehabil., S.C. Division of Energy Resources, S.C. House of Representatives, S.C. Motor Vehicle Management Off., S.C. Senate (Code 57-3-1010, 1978).

Regional Transportation Authority

Membership, powers, duties, and sources of funds of non-profit authorities existing for public purposes are set out (Code 58-25-10, 1983; 58-25-10-100, 1985)

License Tag Fee Exemption

During 1985, license tag fees increased from \$10.00 - \$17.00. Persons 65 or over who own passenger vehicles (excluding trucks or vans) are exempt from this increase. (Appropriation Act 1985-86)

Appendix E

Act 402 to Create a Permanent Committee

(R420, H3247)

An Act to create a Permanent Committee to conduct continuing Studies of Public and Private Services, Programs and Facilities for the Aging.

Be it enacted by the General Assembly of the State of South Carolina:

Findings

Section 1. The General Assembly finds that the Committee to Study Public and Private Services, Programs and Facilities for the Aging, originally created H.1286 of 1969 and continued by concurrent resolution through 1977, fulfills a necessary and continuing legislative need and that the functions of the committee can be more properly fulfilled by a permanent committee.

Committee Created

Section 2. There is created a permanent committee to conduct continuing studies of public and private services, programs and facilities for the aging in South Carolina and report its findings and recommendations annually to the General Assembly. Three members shall be appointed from the Senate by the President thereof, three members shall be appointed from the House of Representatives by the Speaker and three members shall be appointed by the Governor. Terms of legislative members shall be coterminous with their terms as members of the General Assembly and terms of members appointed by the governor shall be coterminous, with the term of the appointing Governor. Members of the committee shall receive mileage, per diem and subsistence as provided by law for members of boards, committees and commissions. Expenses of the committee shall be provided by an annual appropriation in the general appropriation act. The Legislative Council shall provide such legal services as the committee may require in the performance of its duties.

Time Effective

Section 3. This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1978

Appendix F

Study Committee on Aging Members Since 1959
1959-60 Rep. Martha Fitzgerald, Chairman
 Sen. Wilbur G. Grant
 Sen. John D. Long
 Rep. E. Forte Wolfe
 Gubernatorial Appointees:
 Dr. Wil Lou Gray
 Mr. O. T. Wallace
 Miss Nell Watson

1960-61 Rep. Martha Fitzgerald, Chairman
 Sen. Wilbur G. Grant
 Sen. John D. Long
 Rep. T. Ed Garrison
 Gubernatorial Appointees:
 Dr. Wil Lou Gray
 Mr. O. T. Wallace
 Miss Nell Watson

1962 Sen. Wilbur G. Grant
 Sen. John D. Long
 Rep. E. Windell McCrackin
 Rep. T. Ed Garrison
 Gubernatorial Appointees:
 Dr. Wil Lou Gray
 Mr. O. T. Wallace
 Miss Nell Watson

1963-1968 Inactive

1969-71 Sen. Richard W. Riley, Chairman
 Rep. Isadore Lourie, Vice-Chairman
 Rep. James E. Moore, Secretary
 Sen. J. Kenneth Rentiers
 Sen. Hyman Rubin
 Rep. Patrick B. Harris
 Gubernatorial Appointees:
 Mr. Harry R. Bryan
 Rev. I. DeQuincey Newman
 Mr. R. Carl Woodle

1972 Sen. Richard W. Riley, Chairman
 Rep. Isadore Lourie, Vice-Chairman
 Rep. James E. Moore, Secretary
 Sen. J. Kenneth Rentiers
 Sen. Hyman Rubin
 Rep. Patrick B. Harris
 Gubernatorial Appointees:
 Father William Pentis
 Rev. I. DeQuincey Newman
 Mr. James Richmond Driggs

1973-74 Sen. Richard W. Riley, Chairman
 Rep. James E. Moore, Vice-Chairman
 Rep. Patrick B. Harris, Secretary
 Sen. Hyman Rubin
 Sen. Edward Saleeby

- Rep. Giles P. Cleveland
 Gubernatorial Appointees:
 Father William Pentis
 Rev. I. DeQuincey Newman
 Mrs. B. J. Blackwell
- 1975 Sen. Richard W. Riley, Chairman
 Rep. James E. Moore, Vice-Chairman
 Rep. Patrick B. Harris, Secretary
 Sen. Hyman Rubin
 Sen. Edward Saleeby
 Rep. Eugene S. Blease
 Gubernatorial Appointees:
 Father William Pentis
 Rev. I. DeQuincey Newman
- 1976 Ms. Dorothy M. Blackwell
 Sen. Richard W. Riley, Chairman
 Rep. James E. Moore, Vice-Chairman
 Rep. Patrick B. Harris, Secretary
 Sen. Hyman Rubin
 Sen. Edward E. Saleeby
 Rep. Eugene S. Blease
 Gubernatorial Appointees:
 Rev. James E. Alewine
 Mr. George E. Carlton
 Mrs. June B. Furman
- 1977 Sen. Hyman Rubin, Chairman
 Rep. Patrick B. Harris,
 Vice-Chairman
 Sen. T. Dewey Wise
 Sen. John H. Waller, Jr.
 Rep. Eugene S. Blease
 Rep. Parker Evatt
 Gubernatorial Appointees:
 Mr. George E. Carlton, Secretary
 Rev. James E. Alewine
 Mrs. June B. Furman
- 1978 Sen. Hyman Rubin, Chairman
 Rep. Patrick B. Harris, Vice-Chairman
 Sen. T. Dewey Wise
 Sen. John H. Waller, Jr.
 Rep. Eugene S. Blease
 Rep. Parker Evatt

- Gubernatorial Appointees:
 Rev. James E. Alewine
 Mrs. June B. Furman
 Dr. C. Julian Parrish
 1979 Sen. Hyman Rubin, Chairman
 Rep. Patrick B. Harris, Vice-Chairman
 Sen. T. Dewey Wise
 Sen. John H. Waller, Jr.
 Rep. Hudson L. Barksdale
 Rep. Parker Evatt
 Gubernatorial Appointees:
 Rev. James E. Alewine
 Mrs. June B. Furman
 Dr. C. Julian Parrish
 1980 Sen. Hyman Rubin, Chairman
 Rep. Patrick B. Harris, Vice-Chairman
 Sen. William W. Doar, Jr.
 Sen. John H. Waller, Jr.
 Rep. Hudson L. Barksdale
 Rep. Parker Evatt
 Gubernatorial Appointees:
 Rev. M. L. Meadors, Jr.
 Dr. C. Julian Parrish
 Mrs. Gloria H. Trowell
 1981-82 Sen. Hyman Rubin, Chairman
 Rep. Patrick B. Harris, Vice-Chairman
 Sen. William W. Doar, Jr.
 Sen. Peden B. McLeod
 Rep. Hudson L. Barksdale
 Rep. Parker Evatt
 Gubernatorial Appointees:
 Rev. M. L. Meadors, Jr.
 Dr. C. Julian Parrish
 Mrs. Gloria H. Sholin
 1983-1984 Sen. Hyman Rubin, Chairman
 Rep. Patrick B. Harris, Vice-Chairman
 Sen. William W. Doar, Jr.
 Sen. Peden B. McLeod
 Rep. Dill Blackwell
 Rep. Dave C. Waldrop, Jr.

1984-86 Gubernatorial Appointees:
Dr. J. Carlisle Holler
Dr. C. Julian Parrish
Mrs. Gloria H. Sholin
Rep. Patrick B. Harris, Chairman
Rep. Dave C. Waldrop, Vice-Chairman
Rep. Dill Blackwell
Sen. William W. Doar, Jr.
Sen. Peden B. McLeod
Sen. Isadore Lourie
Gubernatorial Appointees:
Dr. J. Carlisle Holler
Dr. C. Julian Parrish, Secretary
Mrs. Gloria H. Sholin

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